

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

REGAN SMITH, individually and on behalf of  
all others similarly situated,

Plaintiff,

vs.

AFFORDABLE AUTOMOTIVE SOLUTION,  
an unknown business entity, SUNPATH  
LIMITED CORP., a Delaware corporation, and  
NORTHCOAST WARRANTY SERVICES,  
INC., a Delaware corporation,

Defendants.

**8:19CV259**

**ORDER TO SHOW CAUSE**

[Federal Rule of Civil Procedure 4\(m\)](#) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” [Fed. R. Civ. P. 4\(m\)](#).

Plaintiff filed the Complaint on June 14, 2019. (Filing No. 1). More than 90 days has elapsed since the Complaint was filed. To date, Plaintiff has not filed any return of service indicating service on the defendants, a waiver of service has not been filed, the defendants have not entered voluntary appearances, and Plaintiff has not requested an extension of time to complete service. Accordingly,

**IT IS ORDERED** that Plaintiff shall have until **October 7, 2019**, to show cause why this case should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

Dated this 23<sup>rd</sup> day of September, 2019.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge